IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1884 OF 1996

Kamgar Ekta, .
a registered Union & Anr. ....Petitioners

V/s.

The Collector of Raigad & Ors. ....Respondents

Mr.K.N. Kore for the Petitioners.

Mr.R.D. Rane, G.P. for Respondent No.1.

Mrs.Neeta Karnik for Respondent Nos.2 to 7.

**CORAM : F.I. REBELLO, &**
**S.J. VAZIFDAR, JJ.**
**DATED : 1ST MARCH, 2007.**

**P.C.** :

1. The Petitioner union espouses the cause of workers employed by Respondent No.9 who have been engaged by Respondent Nos.2 to 7 as their contractors. The reliefs sought is to abolish the system of contract labour existing in the Maharashtra Water Supply Sewerage Board. The law is now settled that it is not open to the Writ Court to abolish the engagement of contract labour. The matter will have to be decided by the appropriate Government, on the report of Respondent No.8, which alone is closed with those powers.

2. In so far as other reliefs are concerned, it is not possible to grant the reliefs considering the nature of the work. In the light of that the following order :-

i). The State Government is directed to refer the matter to Respondent No.8 considering the long and continuous service by the members of Petitioner No.1 with the Maharashtra Water Supply Sewerage Board and as even to date they are engaged in the same manner. On report being received from Respondent No.8, the State Government to take appropriate decision. The entire exercise should be completed within six months from today.

Rule is made absolute accordingly. There shall be no order as to costs.

3. The Petitioners to serve a copy of the order of this Court on the Secretary, Energy and Labour, State of Maharashtra. It is however made clear that the Maharashtra Water Supply Sewerage Board is now named as Maharashtra Jivan Pradhikaran Authority.

4. Pending the pending decision by the appropriate authority, status-quo as of today to be maintained.

(S.J. VAZIFDAR, J.) (F.I. REBELLO, J.)